United Nations

A/HRC/36/L.36

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**Human Rights Council**
**Thirty-sixth session**
11–29 September 2017
Agenda item 3
**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Russian Federation:* amendment to draft resolution A/HRC/36/L.6**

## 36/... The question of the death penalty

1. **Eighth preambular paragraph**

*For* individuals with mental or intellectual disabilities *read* individuals with limited legal capacity due to mental or intellectual disabilities

2. **Nineteenth preambular paragraph and paragraph 6**

*For* persons with mental or intellectual disabilities *read* persons with limited legal capacity due to mental or intellectual disabilities

* State not a member of the Human Rights Council

GE.17-16867(E)

*1716867*

Please recycle

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**Russian Federation:* amendment to draft resolution A/HRC/36/L.6**

## 36/... The question of the death penalty

The sixteenth preambular paragraph *should read*

*Strongly deploring* the fact that the use of the death penalty may in some cases lead to violations of the human rights of the persons facing the death penalty and of other affected persons,

* State not a member of the Human Rights Council.

GE.17-16868(E)
*1716868*

Please recycle

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**Russian Federation:* amendment to draft resolution A/HRC/36/L.6**

## 36/... The question of the death penalty

The seventeenth preambular paragraph *should read*

*Taking note* of the report of the United Nations High Commissioner for Human Rights on the high-level panel discussion on the question of the death penalty,[1] during which it was noted that, in some cases, imposing the death penalty leads to torture or other cruel, inhuman or degrading treatment or punishment,

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* State not a member of the Human Rights Council.

[1] A/HRC/36/27.

GE.17-16869(E)
*1716869*

Please recycle

United Nations A/HRC/36/L.39

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**Russian Federation:* amendment to draft resolution A/HRC/36/L.6**

## 36/... The question of the death penalty

After the seventeenth preambular paragraph, insert a new preambular paragraph *reading*

*Strongly condemning* the practice of executing the death penalty by means of experimental medical supplies and chemicals, which can lead to torture or other cruel, inhuman or degrading treatment,

* State not a member of the Human Rights Council.

GE.17-16870(E)
*1716870*

Please recycle

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**Russian Federation:* amendment to draft resolution A/HRC/36/L.6**

## 36/... The question of the death penalty

After paragraph 5, insert a new paragraph *reading*

5 bis. *Also urges* States to abandon the practice of executing the death penalty by means of experimental medical supplies and chemicals or untested techniques that can lead to torture or other cruel, inhuman or degrading treatment;

* State not a member of the Human Rights Council.

GE.17-16871(E)

*1716871*

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**Bangladesh, China, Egypt, Nigeria, Saudi Arabia, United Arab Emirates: amendment to draft resolution A/HRC/36/L.6**

## 36/… The question of the death penalty

Before paragraph 1, insert a new paragraph *reading*

1. *Recognizes* that the application of a moratorium on the death penalty, abolishing the death penalty or retaining it should be a decision based on domestic debates at the national level;

GE.17-16872(E)
*1716872*

Please recycle

United Nations A/HRC/36/L.42

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**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**China, Egypt, Saudi Arabia, United Arab Emirates: amendment to draft resolution A/HRC/36/L.6**

## 36/... The question of the death penalty

After paragraph 7, insert a new paragraph *reading*

7 bis. *Urges* States that have abolished the death penalty or have subjected it to a moratorium to study the impact of the discontinuation of the application of the sentence on the rights of the victims and the effective accomplishment of redress, including its elements of satisfaction and guarantees of non-recurrence, and encourages the States to share and exchange information concerning the impact of the abolition or retention of the death penalty on the rates of prevalence of serious crimes;

GE.17-16873(E)

*1716873*

Please recycle

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**Human Rights Council**
**Thirty-sixth session**
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**Human rights bodies and mechanisms**

**Russian Federation:* amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

After the last preambular paragraph, insert a new paragraph *reading*

*Recalling* that, in accordance with international law, the authorities of States hosting the headquarters or offices of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2 of the Charter, shall not impose any impediment to transit to or from the headquarters districts of representatives of Members or officials of the United Nations, or of specialized agencies, or the families of such representatives or officials; experts performing missions for the United Nations or for specialized agencies; representatives of the press, or of radio, film or other information agencies who have been accredited by the United Nations or by a specialized agency; representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter; or other persons invited to the headquarters district by the United Nations or by such specialized agency on official business, and therefore underlining that denial by the host country of access to meetings for participants or refusal to issue entry visas for them in a timely manner and without restrictions of any kind constitute a breach of respective obligations under international law and may be considered an act of intimidation or reprisal against individuals or groups who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights,

* State not a member of the Human Rights Council.

GE.17-16678(E)

Please recycle

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**China, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

After the first preambular paragraph, insert a new paragraph *reading*

*Recalling* General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007 on institution-building of the Council,

* State not a member of the Human Rights Council.

GE.17-16875(E)
*1716875*

Please recycle

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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

The fifth preambular paragraph *should read*

*Taking note* of the reports of the Secretary-General on this question, and in particular noting with concern the worsening incidence, severity and scope of cases of intimidation and reprisals against individuals and groups who seek to cooperate, cooperate or have cooperated with the United Nations,

* State not a member of the Human Rights Council.

GE.17-16876(E)
*1716876*

Please recycle

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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

After the fifth preambular paragraph, insert a new paragraph *reading*

*Reiterating* that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue, and be aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

* State not a member of the Human Rights Council.

GE.17-16877(E)
*1716877*

Please recycle

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11–29 September 2017
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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

*Delete* the sixth preambular paragraph.

* State not a member of the Human Rights Council.

GE.17-16879(E)
*1716879*

Please recycle

United Nations A/HRC/36/L.48

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**Human Rights Council**
**Thirty-sixth session**
11–29 September 2017
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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

The seventh preambular paragraph *should read*

*Recognizing* the different roles of the Secretary-General and the United Nations High Commissioner for Human Rights in supporting cooperation with the United Nations, its representatives and mechanisms in the field of human rights, and in that context addressing, as appropriate, acts of intimidation or reprisal against individuals and groups who seek to cooperate, cooperate or have cooperated with the United Nations in this regard,

* State not a member of the Human Rights Council.

GE.17-16880(E)
*1716880*

Please recycle

United Nations A/HRC/36/L.49

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**China, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

The eighth preambular paragraph *should read*

*Noting* the work done by the special procedures as well as the increased attention given by treaty bodies to preventing and addressing intimidation and reprisals against individuals and groups who cooperate with the United Nations,

* State not a member of the Human Rights Council.

GE.17-16881(E)
*1716881*

Please recycle

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**Human Rights Council**
**Thirty-sixth session**
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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

*The ninth preambular paragraph should read*

Noting also the role that regional mechanisms can play, where appropriate, in preventing and addressing acts of intimidation or reprisal against individuals and groups who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights,

* State not a member of the Human Rights Council.

GE.17-16884(E)

Please recycle

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**China, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

The tenth preambular paragraph *should read*

*Reiterating* that the General Assembly, in its resolution 60/251, stipulates that the members of the Human Rights Council should fully cooperate with the Council and be reviewed under the universal periodic review mechanism during their term of membership,

* State not a member of the Human Rights Council.

GE.17-16891(E)
*1716891*

Please recycle

United Nations A/HRC/36/L.52

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**Human Rights Council**
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**China, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

The thirteenth preambular paragraph *should read*

*Recalling* the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and underlining the role that national human rights institutions can play in preventing and addressing cases of reprisal or intimidation against individuals and groups who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights,

* State not a member of the Human Rights Council.

GE.17-16892(E)
*1716892*

Please recycle

United Nations A/HRC/36/L.53

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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

After the fourteenth preambular paragraph, insert a new paragraph *reading*

*Conscious* that, on a number of occasions, some allegations of reprisals may be fabricated with a view to achieving political purposes,

* State not a member of the Human Rights Council.

GE.17-16894(E)
*1716894*

Please recycle

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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

After the fourteenth preambular paragraph, insert a new paragraph *reading*

*Aware* of the lack of agreed and specific tools to verify whether allegations received are credible, which may compromise the effectiveness and integrity of the process of assessing those allegations, and underlining that continuous and constructive dialogue and cooperation with the State concerned should always be the primary consideration in this regard,

* State not a member of the Human Rights Council.

GE.17-16895(E)
*1716895*

Please recycle

United Nations A/HRC/36/L.55

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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

Paragraph 1 *should read*

1. *Recognizes* that unhindered access to and communication with the United Nations, its representatives and mechanisms in the field of human rights, including the Human Rights Council, its special procedures, the universal periodic review mechanism and the treaty bodies, as well as regional human rights mechanisms, are indispensable to enable the United Nations and its mechanisms to fulfil their mandates;

* State not a member of the Human Rights Council.

GE.17-16896(E)
*1716896*

Please recycle

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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

After paragraph 7, insert a new paragraph *reading*

7 bis *Stresses* that information provided by all stakeholders, including civil society, to the United Nations and its representatives and mechanisms in the field of human rights should be credible and reliable, and must be thoroughly checked and corroborated;

* State not a member of the Human Rights Council

GE.17-16897(E)

*1716897*

Please recycle

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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

*Paragraph 8 should read*

8. Notes the work done by the Secretary-General in addressing cases of reprisal or intimidation against individuals and groups who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and in this regard calls upon all States and invites international and regional organizations, human rights mechanisms, such as the special procedures and the treaty bodies, United Nations agencies and bodies, national human rights institutions, civil society and academic institutions to cooperate with the Secretary-General in this work;

* State not a member of the Human Rights Council.

GE.17-16999(E)

Please recycle

United Nations A/HRC/36/L.58

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**China, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

Paragraph 9 *should read*

9. *Reiterates* its strong rejection of any acts of intimidation or reprisal against individuals and groups who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and recalls in this regard that the Human Rights Council and its mechanisms should address allegations of acts of intimidation or reprisal in the most appropriate way;

* State not a member of the Human Rights Council.

GE.17-16899(E)
*1716899*

Please recycle

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**China, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

*Delete* paragraph 10.

* State not a member of the Human Rights Council.

GE.17-16900(E)
*1716900*

Please recycle

United Nations A/HRC/36/L.60

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**China, Egypt, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

Paragraph 11 *should read*

11. *Invites* United Nations human rights mechanisms to continue to include in their reports to the Human Rights Council and to the General Assembly respectively a reference to credible allegations of intimidation or reprisal against those who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, while providing an appropriate opportunity to the State concerned to respond to the allegations transmitted to them and to reflect the State's response in their reports;

* State not a member of the Human Rights Council.

GE.17-16901(E)
*1716901*

Please recycle

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**China, India, Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.26/Rev.1**

## 36/... Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

*Delete* paragraph 12 and *replace* it by the paragraph below:

12. *Encourages* all States to participate in the relevant general debate on this issue, and to contribute to its further consideration by the Human Rights Council.

* State not a member of the Human Rights Council.

GE.17-16902(E)
*1716902*

Please recycle

United Nations A/HRC/36/L.62

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**Human Rights Council**
**Thirty-sixth session**
11–29 September 2017
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**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Azerbaijan,* Bahrain,* Bangladesh, Brunei Darussalam,* China, Egypt, Iran (Islamic Republic of),* Kuwait,* Malaysia,* Maldives,* Morocco,* Nigeria, Oman,* Pakistan,* Saudi Arabia, Singapore,* United Arab Emirates: amendment to draft resolution A/HRC/36/L.6**

## 36/... The question of the death penalty

After paragraph 1, insert a new paragraph *reading*

1 bis. *Reaffirms* the sovereign right of all States to develop their own legal systems, including determining appropriate legal penalties, in accordance with their international law obligations;

* State not a member of the Human Rights Council.

GE.17-16888(E)
*1716888*

Please recycle

United Nations A/HRC/36/L.69

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**Human Rights Council**
**Thirty-sixth session**
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Agenda item 3
**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**China, Egypt, Pakistan,* Russian Federation,* Saudi Arabia, Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.10**

## 36/... Enforced or involuntary disappearances

Above paragraph 1, insert a new paragraph reading

1 *Reaffirms* the sovereign right of all countries to develop their own legal systems, including determining appropriate legal measures, in accordance with their international law obligations;

* State not a member of the Human Rights Council.

GE.17-16889(E)

Please recycle

United Nations A/HRC/36/L.64

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**China, Egypt, Pakistan,* Russian Federation,* Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/36/L.10**

**36/... Enforced or involuntary disappearances**

After the sixteenth preambular paragraph, insert a new preambular paragraph reading:

*Reaffirming* that special procedure mandate holders shall always seek to establish the facts, based on objective, reliable information emanating from relevant credible sources, that they have duly cross-checked to the best extent possible, and underlining the centrality of the principles of impartiality and objectivity of mandate holders,

* State not a member of the Human Rights Council

GE.17-[redacted]

Please recycle

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**Human Rights Council**
**Thirty-sixth session**
11–29 September 2017
Agenda item 1
**Organizational and procedural matters**

**Statement by the President**

## PRST 36/... Reports of the Advisory Committee

At the ... meeting, held on ... September 2017, the President of the Human Rights Council made the following statement:

"The Human Rights Council, recalling its resolutions 5/1 of 8 June 2007 and 16/21 of 25 March 2011, in particular section III of the annexes thereto, including on the functions of the Advisory Committee, takes note of the reports of the Advisory Committee on its eighteenth and nineteenth sessions,[1] and notes that the Advisory Committee has made a research proposal."

[1] A/HRC/AC/18/2 and A/HRC/AC/19/2.

GE.17-17074(E)

Please recycle